#### BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Joint Application of Verizon Communication Inc. ("Verizon") and MCI, Inc. ("MCI") to Transfer Control of MCI's California Utility Subsidiaries to Verizon, which Will Occur Indirectly as a Result of Verizon's Acquisition of MCI.

Application 05-04-020 (Filed April 21, 2005)

# ADMINISTRATIVE LAW JUDGE'S RULING NOTING ON NOTICE OF INTENT BY LATINO ISSUES FORUM

This ruling addresses the Notice of Intent to Seek Compensation (NOI) of Latino Issues Forum (LIF).

# Timeliness of Filing

Pub. Util. Code § 1804(a)(1) provides that an NOI must be filed within 30 days after the prehearing conference. A prehearing conference was held on June 21, 2005, and LIF filed this notice on July 18, 2005. In accordance with § 1804(a)(1), LIF's NOI is timely filed.

#### **Qualification as a Customer**

LIF represents the interests of Latino, low-income and limited-English communities. Its constituents are purchasers of local and long distance telephone service for residential and small business purposes. LIF is authorized in its bylaws to represent the interests of residential ratepayers before regulatory agencies and in court. LIF estimates that its members are 85% residential customers and 15% small business customers. Pursuant to Pub. Util. Code

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§ 1802(b) and Decision 98-04-059, LIF has demonstrated that it meets the statutory definition of a customer authorized to claim compensation.

## **Representation of Underrepresented Interests**

LIF states that it intervenes in this proceeding to ensure that telecommunications customers are not prejudiced by a loss of competition in California, and that Pub. Util. Code § 854(b) short- and long-term benefits are shared with underserved communities, particularly California's 11 million Latinos. LIF states that it believes that the merger may be especially prejudicial to Latino customers, and it will seek commitments to maintain affordable basic service and no erosion of consumer protection.

## **Nature and Extent of Participation**

To date, LIF has participated in the prehearing conference, obtained authority to intervene, and has participated in discovery. LIF states that its reputation in the Latino community and its ability to appreciate cultural and linguistic differences will allow it to discover and provide evidence that might not otherwise be available to the Commission.

## **Estimate of Compensation**

Pursuant to § 1804(a)(2)(A)(ii), LIF submitted a breakdown of the total estimated compensation of \$92,100 that it expects to request, most of it in attorney fees and expert witness fees. This ruling makes no affirmative findings regarding the reasonableness of the total or any component of the estimate.

# Significant Financial Hardship

Pursuant to Pub. Util. Code § 1804(a)(2)(B), intervenors are required to demonstrate financial hardship in their request for a finding of eligibility or at the time they file a request for an award. LIF elects to defer its showing of hardship until the filing of its request for compensation.

**IT IS RULED** that Latino Issues Forum is eligible to file for an award of intervenor compensation at the conclusion of this proceeding.

Dated August 12, 2005, at San Francisco, California.

/s/ GLEN WALKER

Glen Walker

Administrative Law Judge

### **CERTIFICATE OF SERVICE**

I certify that I have by mail this day served a true copy of the original attached Administrative Law Judge's Ruling on Notice of Intent by Latino Issues Forum on all parties of record in this proceeding or their attorneys of record.

Dated August 12, 2005, at San Francisco, California.

/s/ FANNIE SID
Fannie Sid

# NOTICE

Parties should notify the Process Office, Public Utilities Commission, 505 Van Ness Avenue, Room 2000, San Francisco, CA 94102, of any change of address to insure that they continue to receive documents. You must indicate the proceeding number on the service list on which your name appears.